

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
WILMINGTON DIVISION

IN RE:

CASE NUMBER:

JAMES ALFRED ROSE, III

08-00625-8-JRL

DEBTOR(S)

(CHAPTER 7)

RESPONSE TO MOTION TO LIFT STAY
FILED BY AMERICAN HOME MORTGAGE SERVICING, INC. (DE 170)

The undersigned Trustee serving in the above referenced case herewith responds and objects to the Motion for Relief from Stay filed by American Home Mortgage Servicing, Inc. in this case based upon the following:

This case was recently converted to Chapter 7 and the Chapter 7 Trustee has not had an opportunity to examine the Debtor regarding this property. The Trustee needs time to conduct the Chapter 7 § 341 meeting of the creditors and to receive and review certain documents and information with regard to this account.

Request for Account History: In accordance with Local Rule 4001-2(c), the Trustee hereby requests that the creditor promptly provide a statement of account showing a history of all advances, charges, payments, and credits, and the current payoff amount on the loan.

DATED:

BUTLER & BUTLER, L.L.P.

June 5, 2008



Algernon L. Butler, III
Attorneys for the Trustee
NC State Bar No. 20881
P. O. Box 38
Wilmington, NC 28402
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CERTIFICATE OF SERVICE

The undersigned hereby certifies under penalty of perjury that (s)he is over eighteen (18) years of age, and that the

**RESPONSE TO MOTION TO LIFT STAY
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in the above captioned case was this day served upon the below named persons as follows:

By electronic service through CM/ECF:

Dean R. Davis
Allen, MacDonald & Davis PLLC
1508 Military Cutoff Road, Suite 102
Wilmington, NC 28403

Sarah Miranda
Hutchens, Senter & Britton, P.A.
4317 Ramsey Street
P.O. Box 2505
Fayetteville, NC 28302

Bankruptcy Administrator
Post Office Box 3758
Wilson, NC 27895-3758

By mailing, postage prepaid, first class mail, or by certified mail return receipt requested if indicated below, or by facsimile if indicated below, of a copy of such instrument to such persons, parties and/or counsel at the address shown below:

James Alfred Rose, III
519 Spencer Farlow Drive
Carolina Beach, NC 28428

Dated:

June 5, 2008

BUTLER & BUTLER, L.L.P.



P.O. Box 38
Wilmington, NC 28402
(910) 762-1908